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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,475	10/22/2003	Daishi Mori	9333-357	5028

7590 10/18/2005
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EXAMINER

BLOUNT, STEVEN

ART UNIT PAPER NUMBER

2668

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/691,475	MORI ET AL.	
	Examiner	Art Unit	
	Steven Blount	2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15 - 20 is/are allowed.
- 6) ☒ Claim(s) 1 - 3, 5 - 9 is/are rejected.
- 7) ☒ Claim(s) 4 and 10 - 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A. The finality of the previous Office action is revoked in view of the newly presented rejections below.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,438,695 to Maufer in view of either one of U.S. patent 6,876,670 to Budrikis et al or U.S. patent 6,947,384 to Bare.

Maufer teaches performing predetermined processing (encryption) on a packet, but does not teach doing this only when the packet is received within a valid time duration. This is taught in Budrikis et al. See the abstract and also col 5 lines 50+, and in Bare (note use of hop count is in this case equivalent to timing – ie, drop stale packets) in col 43, lines 35 to 60, wherein the combination of these references would have been obvious in order to ensure fresh data is transmitted.

3. Claims 1 and 8 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,876,670 to Budrikis et al.

Budrikies et al teaches transmitting packets within a prescribed time duration, but does not explicitly teach putting the timing information in the header. However, as noted in col 6 lines 25+, this is an obvious matter of choice.

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4. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,876,670 to Budrikis et al in view of U.S. patent 6,304,556 to Haas.

With regard to claim 2, Budrikis et al teach the invention as described above, but do not teach the use of a zone determination. This is taught in Haas. See col 6 lines 50+, wherein the combination would render this claim obvious in order to improve routing reliability.

With regard to claim 3, Official Notice is taken that GPS is a commonly known method to locate an object.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,876,670 to Budrikis et al in view of the Applicants Admitted Prior Art.

Budrikis teaches the invention as described above, but does not teach transmitting among a plurality of vehicles. AAPA teaches the problem of having non-useful information being passed between vehicles passing through zones, wherein one of ordinary skill in the art would recognize the desirability of using timestamps in the information passed between the said vehicles in order to ensure that only fresh, useful data is transmitted.

6. Claims 6, 7, 15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over either one of U.S. patent 6,304,556 to Haas or U.S. patent 6,130,881 to Stiller et al.

With regard to claim 6, Haas teaches the invention as described above, but does not teach the header to have the zone information, though one of ordinary skill in the art would have found this obvious to promote the efficiency of the packing of the

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information. Further, by limiting the size of the ad-hoc network to a maximum number of hops, Stiller et al also teaches specifying valid zones. However, Stiller, like Haas, does not teach the information to be carried in the header, though one of ordinary skill in the art would, again, have found this obvious.

With regard to claim 7, Official Notice is taken that GPS is used to determine a devices location.

With regard to claim 15, see the rejections above and note that there is inherently a device which sends the packets.

With regard to claim 19, the devices would form a plurality of points.

7. Claims 6, 15, and 19 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. patent 6,317,837 to Kenworthy in view of U.S. patent 6,700,891 to Wong.

Kenworthy teaches transferring a packet to a user who processes the packet when the information in the packet is sent ("transferred") to the proper network device. See the description of the firewall in the abstract, and note that the data management system subsequently processes the data. While technically the proper network device can be considered to be located in a proper geographic location, it is not in a proper "zone".

Wong, in col 3 lines 24+, teaches using a firewall to limit access to geographic "zones" by grouping devices together "various resources or devices".

It would have been obvious to one of ordinary skill in the art at the time of the invention to have allowed access to devices located within proper geographic zones in

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the network of Kenworthy in light of the teachings of Wong in order to promote efficiency by subdividing the network into useful subareas.

With regard to claim 15, see the rejections above and note that there is inherently a device which sends the messages.

With regard to claim 19, the devices would form a plurality of points.

8. Claims 4, 10 – 14, and 16 – 18 and 20 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten to include the limitations of the base claim and any intervening claims.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Blount whose telephone number is 571 - 272 - 3071. The examiner can normally be reached on M-F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Chau Nguyen, can be reached on 571 – 272 - 3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ajit Patel
Primary Examiner

SB

10/14/05